

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1( b)**

Denise Carlon, Esq.  
KML LAW GROUP, P.C.  
701 Market Street, Suite 5000  
Philadelphia, PA 19106  
THE BANK OF NEW YORK MELLON F/K/A THE  
BANK OF NEW YORK as successor in interest to JP

In Re:  
Dulcidio Varinho Fernandes

  
Order Filed on June 21, 2024  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No: 23-20495 JKS

Hearing Date:

Judge: John K. Sherwood

Chapter: 13

Recommend Local Form

☐ Followed

☐ Modified

**ORDER GRANTING MOTION FOR RELIEF**

The relief set forth on the following page is hereby ordered **ORDERED**.

**DATED: June 21, 2024**

  
\_\_\_\_\_  
Honorable John K. Sherwood  
United States Bankruptcy Court

Upon the motion of THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK as successor in interest to JP Morgan Chase Bank, N.A. as Trustee for Structured Asset Mortgage Investments II Trust 2006-AR4 Mortgage Pass-Through Certificates Series 2006-AR4, under Bankruptcy Code section 362(d) for relief from the automatic stay as to certain property as hereinafter set forth, and no objection(s) having been filed, and for cause shown, it is

ORDERED that the motion is granted and the stay is terminated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real Property More Fully Described as:

**Land and premises commonly known as Lot 36, Block 267, 160 Tappan Street,  
Kearny NJ 07032**

☐ Personal Property More Fully Describes as:

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject Mortgage and pursue its State Court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

It is further ORDERED that the movant shall be permitted to reasonably communicate with Debtor(s) and Debtor(s)' counsel to the extent necessary to comply with applicable non-bankruptcy law.

It is further ORDERED that the Trustee is directed to cease in making any further distributions to the Creditor.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

*rev. 11/14/2023*

In re:  
Dulcidio Varinho Fernandes  
Debtor

Case No. 23-20495-JKS  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: Jun 24, 2024

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 26, 2024:

Recip ID	Recipient Name and Address
db	+ Dulcidio Varinho Fernandes, 160 Tappan Street, Kearny, NJ 07032-3317

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 26, 2024

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 24, 2024 at the address(es) listed below:

Name	Email Address
David G. Beslow	on behalf of Debtor Dulcidio Varinho Fernandes yrodriguez@goldmanlaw.org yrodriguez.knight29@gmail.com;ecf-control@goldman-beslow.com;beslow.davidr64764@notify.bestcase.com;cfinnerty@goldm anlaw.org;r64764@notify.bestcase.com;GoldmanBeslowLLC@jubileebk.net
Denise E. Carlon	on behalf of Creditor THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Marie-Ann Greenberg	magecf@magtrustee.com
Roger Fay	on behalf of Creditor THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK rfay@alaw.net bkcef@milsteadlaw.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

District/off: 0312-2

User: admin

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Date Rcvd: Jun 24, 2024

Form ID: pdf903

Total Noticed: 1

TOTAL: 5